IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2041 OF 2006

Chhabinath Rajmani Choubey .. Petitioner

Vs.

Union of India & Anr. .. Respondents

Mr.R.G.Walia i/b Mr.G.S.Walia for the petitioner

Ms.Anamika Malhotra for the respondent no.1

CORAM : J.N.PATEL &
S.C.DHARMADHIKARI, JJ.

DATED : 22ND FEBRUARY, 2007

P.C.:

. The learned counsel for the petitioner submits that the only issue on which he wants to challenge the impugned order is that the CAT has no jurisdiction in the matter. If this is the case of the petitioner, he ought to have raised the issue of Jurisdiction before CAT. Having invited the order, now the petitioner cannot be permitted to raise the issue of Jurisdiction. Even accepting that CAT had no jurisdiction in the matter, the

impugned order would be nonest. The petitioner can seek whatever remedy is available to him under the law. On merits also we do not find any reason to interfere with the impugned order. Petition stands disposed of.

(SHRI J.N. PATEL, J)

(SHRI S.C.DHARMADHIKARI, J)